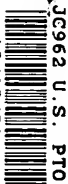


10/30/01



JC962 U.S. PTO

12-18-01

A

Practitioner's Docket No. P109 CON 2

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:



JC979 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Robert Lashinski; Bradley Jendersee; Michael D. Boneau

For (title): Method and Apparatus to Prevent Stent Migration

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[ ] deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents,  
Washington, D.C. 20231.  
37 C.F.R. Section 1.8(a) 37 C.F.R. Section 1.10\*

[ ] with sufficient postage as first class mail. [X] as "Express Mail Post Office to Address"  
Mailing Label No. EJ744743403US  
(mandatory)

TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_

Date: 10/30/01

Christine L. Aceves  
Signature

Christine L. Aceves  
(type or print name of person certifying)

\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

1. **Type of Application**

This transmittal is for a continuation application.

2. **Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED.

3. **Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

10 Page(s) of Specification

3 Page(s) of Claims

2 Sheet(s) of Drawing(s)

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

4 Page(s) of Preliminary Amendment

4. **Declaration or Oath**

Enclosed

Executed by:

\* inventors.

5. **Inventorship Statement**

The inventorship for all the claims in this application is the same.

6. **Language**

English

7. **Cancellation of Claims:**

Please cancel claims 1, 4, 6, and 9 before calculating the fee.

10020061-103001

7. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	18	18-20 =	0	\$18.00	
Independent Claims (37 CFR 1.16(b))	5	5-3 = 2	2	\$84.00	168.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00
Amendment canceling extra claims is noted above. Filing Fee Calculation					\$908.00

8. **Fee Payment Being Made at This Time**

Enclosed  
Filing Fee \$908.00

**Total Fees Enclosed \$908.00**

9. **Method of Payment of Fees**

Charge Account No. 012525 in the amount of \$908.00  
A duplicate of this transmittal is attached.

10020061 103001  
FOOEOT " T9002001

**10. Instructions as to Overpayment**

Credit Account No. 012525.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATIONS CLAIMED**

**11. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

**A. 35 U.S.C. Section 119(e)**

"This application claims the benefit of U.S. Provisional Application Nos.:

**APPLICATION NO.**

**FILING DATE**

09/092,623

06/05/1998

08/326,031

10/19/1994

10020061.103001

12. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date:

10/30/01

Reg. No.: 34,472

Tel. No.: 707-566-1746

Customer No.: 28390

Michael J. Jaro

Signature of Practitioner

Michael J. Jaro

Medtronic AVE, Inc

IP Legal

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Santa Rosa, Ca 95403

10020061.103001